



GNE.32302A C46

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Goddard, et al.
Appl. No. : 10/063,566
Filed : May 2, 2002
For : SECRETED AND
TRANSMEMBRANE
POLYPEPTIDES AND NUCLEIC
ACIDS ENCODING THE SAME
Examiner : Hunnicutt, Rachel Kapust
Group Art Unit : 1647

DECLARATION UNDER 37 CFR §1.131

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

We declare and state as follows:

1. We are the inventors of the invention claimed in the above-captioned patent application.
2. During the time period in which all of the events and activities described herein occurred, we were employed by Genentech, Inc., the assignee of the above-captioned application.
3. All of the events and activities described herein were performed by us personally, or by others at our direction as part of our duties as employees of Genentech, Inc.
4. The invention claimed in the above-captioned patent application was conceived prior to April 29, 1998 and diligently reduced to practice thereafter in the U.S. as described below.
5. Prior to April 29, 1998, we conceived of the invention claimed in the above-captioned patent application. Prior to April 29, 1998, the idea of investigating several newly discovered DNA sequences for their relevance, including developing primers and cloning the DNA sequences of interest from normal and tumor tissues, was conceived. The attached sequence printout (Exhibit A), dated prior to April 29, 1998, shows the complete sequence of the nucleic acid having the sequence of SEQ ID NO:57, as well as the complete sequence of the amino acid of SEQ ID NO:58. Thus, conception of the invention claimed in the above-captioned patent application occurred prior to April 29, 1998.

*DK
considered
8/29/05*